

AMENDED IN ASSEMBLY JUNE 1, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 579

Introduced by Assembly Member Huber

February 25, 2009

An act to amend Section 19815 of the Business and Professions Code, to amend Section 11553 of, to add Section 8546.10 to, to repeal Sections 11555, 11556, 11561, 11563.7, 11564, and 11565.5 of, and to repeal and add Section 11553.5 of, the Government Code, to amend Section 39513 of the Health and Safety Code, to amend Section 148 of the Labor Code, to amend Section 8552 of the Water Code, and to amend Section 14165.8 of the Welfare and Institutions Code, relating to state *add Section 8546.10 to the Government Code, relating to state* boards and commissions.

LEGISLATIVE COUNSEL'S DIGEST

AB 579, as amended, Huber. State boards and commissions: ~~annual salaries audits.~~

Existing law provides for the salaries and raises of various exempt state employees, including the board members and commissioners that receive an annual salary from the state for their service on a state board or commission.

~~This bill would delete those provisions of law pertaining to the salaries and raises of the board members and commissioners that receive an annual salary from the state for their service on a state board or commission. This bill would instead require the State Auditor, beginning January 1 of each even-numbered year, to audit the workload of each state board and commission comprised of board members or commissioners to whom the state pays an annual salary for their service~~

~~on those state boards and commissions. The State Auditor would be required to make a finding for each state board or commission audited regarding the workload of that state board or commission and the number of hours necessary for each board member or commissioner to work to fulfill his or her duties to that state board or commission. The State Auditor would be required to complete these audits by September 1 of each even-numbered year.~~

~~The bill would also require the Governor, by January 1 of each even-numbered year, to establish by executive order the annual salaries of all board members and commissioners to whom the state pays an annual salary for their service on a state board or commission, subject to specified conditions. In establishing the annual salaries of affected board members and commissioners, the Governor would be required to rely on the workload audits and associated findings of the state auditor. The bill would prohibit the Governor from modifying the salaries of the commissioners of the Fair Political Practices Commission pursuant to this provision prior to September 1, 2012.~~

~~The bill would prohibit an affected board member or commissioner from being compensated for his or her service in the next year, beyond payment of per diem and reimbursement of travel and attendance costs made according to law, if the State Auditor fails to conduct the workload audits or make the associated findings, or if the Governor fails to establish by executive order the annual salaries of all affected board members and commissioners.~~

Under existing law, the Bureau of State Audits has statutory audit and evaluation duties. Existing law specifies that the State Auditor, who is appointed by the Governor, is the head of the Bureau of State Audits.

This bill would require the State Auditor to annually, upon appropriation by the Legislature, audit the workload of at least 2 state boards or commissions comprised of board members or commissioners to whom the state pays an annual salary for their service on those state boards and commissions. The State Auditor would be required to make findings for each state board or commission audited regarding the workload of that state board or commission and the number of hours necessary for each board member or commissioner to work to fulfill his or her duties to that state board or commission. The State Auditor would be required to complete these audits and make these findings by June 1 of each year. The State Auditor would also be required to annually report to the Legislature and the Governor regarding these audits and findings. The State Auditor would be required to audit the

workload of the California Integrated Waste Management Board and the California Unemployment Insurance Appeals Board in accordance with, and in satisfaction of, the above provisions, by June 1, 2010.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 8546.10 is added to the Government Code,*
2 *to read:*

3 *8546.10. (a) Upon appropriation by the Legislature,*
4 *notwithstanding subdivision (a) of Section 8544.5, the State Auditor*
5 *shall annually audit the workload of at least two state boards or*
6 *commissions comprised of board members or commissioners to*
7 *whom the state pays an annual salary for their service to those*
8 *state boards and commissions.*

9 *(b) For each state board or commission audited, the State*
10 *Auditor shall make findings regarding the workload of that state*
11 *board or commission and the number of hours necessary for each*
12 *board member or commissioner to work to fulfill his or her duties*
13 *to that state board or commission.*

14 *(c) The State Auditor shall complete the audits required by*
15 *subdivision (a) and make the findings required by subdivision (b)*
16 *by June 1 of each year.*

17 *(d) The State Auditor shall annually report to the Legislature*
18 *and the Governor regarding the audits and findings required by*
19 *this section.*

20 *(e) The State Auditor shall audit, and make findings regarding,*
21 *the workload of the California Integrated Waste Management*
22 *Board and the California Unemployment Insurance Appeals Board,*
23 *in accordance with the requirements of this section, by June 1,*
24 *2010. These workload audits shall be conducted in accordance*
25 *with and in satisfaction of the requirements of subdivision (a) for*
26 *the year 2010.*

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**All matter omitted in this version of the bill
appears in the bill as introduced in
Assembly, February 25, 2009 (JR11)**

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